

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4
5 BARREN MAR THUNA,

6 Plaintiff,

7 vs.

8 PHILLIP J. KOHN, *et al.*,

9 Defendants.

2:17-cv-02395-JAD-VCF

ORDER

10
11 Before the Court is Plaintiff Barren Mar Thuna's Motion for Second Summons. (ECF No. 17).

12 On October 24, 2017, the Court issued Summons to Quintin M. Dollente. The U.S. Marshal was
13 unable to serve Dollente at the address provided by Thuna. On November 13, 2017, the Summons to
14 Dollente was returned as unexecuted. (ECF No. 11 at 1). Thuna is now asking the Court to issue another
15 Summons so he can serve Dollente at the correct address.

16 In the screening order (ECF No. 7), the Court ordered that if the plaintiff wishes to have the U.S.
17 Marshal attempt service again on any unserved defendants, then a motion must be filed with the Court
18 identifying the unserved defendants, specifying a more detailed name and address, and indicating whether
19 some other manner of service should be used. Here, it is clear that Plaintiff seeks to attempt service again
20 on Dollente and Plaintiff's Motion for Second Summons (ECF No. 17) will be construed as a motion for
21 service. Given that Plaintiff has found another address, the Court will allow Plaintiff to attempt service
22 on Dollente again.

23 Accordingly,


24 IT IS HEREBY ORDERED that Plaintiff Barren Mar Thuna's Motion for Second Summons (ECF
25 No. 17) is GRANTED.

The Clerk of Court is directed to issue another Summons to Dollente. The Clerk of Court must send a copy of the Summons and a blank copy of the USM-285 form to Plaintiff. Plaintiff has 20 days to furnish to the U.S. Marshal the required USM-285 form. Within 20 days after Plaintiff receives copy of the completed USM-285 form from the U.S. Marshal, Plaintiff must file a notice with the Court identifying if defendant was served.

Given that Plaintiff has filed the instant motion on December 26, 2017 and the last day to effectuate service is January 21, 2018, the Court will extend the time to effectuate service of the Complaint and Summons on Dollente to February 28, 2018.

IT IS SO ORDERED.

DATED this 12th day of January, 2018.


CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE